

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

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In re Application of:	:	Examiner: P. Smith
	:	
Michael WHITMAN	:	Art Unit: 3739
	:	
For: ELECTROMECHANICAL SURGICAL	:	
DEVICE	:	
	:	Confirmation No.: 4140
Filed: March 15, 2002	:	
	:	Customer No.: 26646
	:	
Serial No.: 10/099,634	:	
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Signature: /Loretta E. Charles/
Loretta E. Charles

APPEAL BRIEF TRANSMITTAL

SIR:

Transmitted herewith for filing in the above-identified patent application, please find an Appeal Brief pursuant to 37 C.F.R. § 41.37.

On June 12, 2008, Applicants filed a Notice of Appeal from the last decision of the Examiner contained in the Final Office Action dated December 12, 2007. Applicants hereby request a five-month extension of time for submitting the Appeal Brief. The extended period for submitting the Appeal Brief expires on January 12, 2009.

The small entity Appeal Brief fee of **\$270.00** and the small entity extension of time fee of **\$1,175.00** are being paid by credit card.